

RECEIVED
CENTRAL FAX CENTER
NOV 13 2007

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200300734-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): David Champion et al.

Confirmation No.: 6089

Application No.: 10/767,732

Examiner: Natalie K. Walford

Filing Date: 01/28/2004

Group Art Unit: 2879

Title: PHOTONIC CRYSTAL FILAMENT AND METHODS

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 08/24/2007, rejecting the following claims 1, 3 - 10, 26 - 40, and 44 - 50.

☐ The fee for filing this Notice of Appeal is \$510.00 (37 CFR 41.20).

☐ No Additional Fee Required.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$460

☐ 3rd Month
\$1050

☐ 4th Month
\$1640

☐ The extension fee has already been filed in this application

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$10.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit:

OR

☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: 11/13/2007

Typed Name: Theodore R. Touw

Signature: T. R. Touw

Respectfully submitted,

David Champion et al.

By T. R. Touw

Theodore R. Touw

Attorney/Agent for Applicant(s)

Reg No.: 38,702

Date: 11/13/2007

Telephone: (541) 967-9133

Rev 10C7 (NoteAppeal)

11/16/2007 FHTEK11 0000053 082025 10767732

01 FC:1401 510.00 DA

PAGE 1/4 * RCVD AT 11/13/2007 4:45:17 PM [Eastern Standard Time] * SVR:USPTO-EPXRF-3/17 * DNIS:2738300 * CSID:541 967 9134 * DURATION (mm-ss):02-00

Adjustment date: 11/16/2007 FHTEK11 10767732
02/05/2007 TL0111 0000075 082025
01 FC:1401 500.00 CR